

# Department of Homeland Security

2018 Freedom of Information Act Report  
to the Attorney General of the United States and the  
Director of the Office of Government Information Services

*March 2019*



Homeland  
Security

## Executive Summary

This report includes numerous metrics that provide the public with insight into our responses to requests for information.<sup>1</sup> In 2018, the Department focused its efforts on reducing its backlog, closing out its oldest requests, reducing the age of pending requests, and providing a high level of customer service to FOIA requesters. Notably, 40 percent of the Department's open requests are less than 30 days old, and 90 percent of the Department's open requests are less than 120 days old.

DHS continues to receive and process the largest number of FOIA requests of any federal department or agency, annually receiving and processing almost 40 percent of all requests within the Federal Government. In fiscal year (FY) 2018, DHS surpassed the record-setting number of requests processed in FY 2017, processing 374,945 requests – a two percent increase from the previous fiscal year. The number of pages DHS released in response to initial requests also increased nine percent from the previous fiscal year – from more than 32 million pages to almost 35 million pages. DHS released 10 percent more pages in response to appeals (from approximately 126,000 pages in FY 2017 to 140,000 pages in FY 2018) and more than doubled the number of pages released in litigation (from approximately 133,000 pages in FY 2017 to 300,000 pages in FY 2018). DHS FOIA professionals worked hard to meet this growth in demand. In FY 2018, DHS released a total of 59,214 pages per full-time FOIA staff – a two percent increase in the number of pages per full-time FOA staff released in FY 2017 (57,951 pages).

While DHS is united by mission, our Components are responsible for a wide variety of activities that generate a high level of public interest. Additionally, DHS serves a large population of requesters seeking records that document their personal interactions with immigration officials. In FY 2018, DHS received 395,751 requests for information; more than 90 percent of these requests were directed to Components that primarily process records for immigration-related purposes.

Over the last four fiscal years, DHS has processed an average of 42 percent of requests within the Federal Government – while only accounting for about ten percent of the cost associated with FOIA within the Federal Government. Including litigation costs, DHS spent \$205 per request processed, compared to the Federal Government average of \$633 per request processed in FY 2017.<sup>2</sup>

Despite these successes, there is still room for improvement. The Department ended this reporting period with a backlog of 53,971 requests—compared to the backlog of 44,117 requests in FY 2017. While the growth in the backlog is disappointing, it is important to note that the timeliness of responses is improving and the age of the backlog is not increasing. In FY 2018, DHS reduced the average response time to simple and expedited requests by 35 percent and 18 percent respectively.<sup>3</sup> Additionally, 60 percent of DHS's open requests are less than 60 days old, while three percent are more than 300 days old.

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<sup>1</sup> 5 U.S.C. § 552(e)(1).

<sup>2</sup> <https://www.foia.gov/data.html>.

<sup>3</sup> In fiscal year 2018, DHS responded to simple requests in an average of 26.26 days and complex requests in an average of 97.45 days; in fiscal year 2017, DHS responded to simple requests in an average of 40.62 days and

The Department remains committed to addressing the systemic issues that contribute to the FOIA backlog. Key to addressing these issues is a comprehensive strategy to address long-standing challenges, including: technology limitations (e.g., interoperability and search capability) staffing and budget constraints. The Department is preparing a backlog strategy that identifies best practices and areas of improvement with an eye towards streamlining processes; identifying resource needs, training and policy gaps; and identifying new technologies.



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## **I. Basic Information Regarding Report**

1. Questions regarding this report may be directed to:

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Deputy Chief FOIA Officer  
Privacy Office  
U.S. Department of Homeland Security  
245 Murray Lane SW, Mail Stop 0655  
Washington, DC 20528-0655  
Phone: 202-343-1743; Fax: 202-343-4011

2. This report can be downloaded from the DHS FOIA website at  
<http://www.dhs.gov/foia-annual-reports>.

3. Requests for this report in paper form may also be directed to the Deputy Chief FOIA Officer, as listed above.

## **II. Making a FOIA Request<sup>4</sup>**

1. Names, addresses, and contact numbers for DHS FOIA Officers can be found on our website at <http://www.dhs.gov/foia-contact-information>.

2. Brief description of why requests may not be granted:

In response to a FOIA request, DHS may respond that that the requested records are exempt, in whole or in part, as well as that the requested record does not exist or cannot be located. For example, the Department frequently receives requests for law enforcement records, which are of specific interest to subjects of investigation, victims of crime, and the public at large. Depending on who is requesting the information (i.e. a first or third party requester) the Department may invoke exemptions 6 and 7(C) (to prevent an unwarranted invasion of personal privacy) and/or exemption 7(E) (to protect against the disclosure of law enforcement techniques, procedures, and guidelines).

## **III. Acronyms, Definitions, and Exemptions**

1. Agency-specific acronyms or other terms.

- |                      |  |
|----------------------|--|
| a. CBP               | U.S. Customs and Border Protection                           |
| b. CFO               | Chief Financial Officer                                      |
| c. CHCO              | Office of the Chief Human Capital Officer                    |
| d. CISA <sup>5</sup> | Cybersecurity and Infrastructure Security Agency             |
| e. CISOMB            | Office of the Citizenship and Immigration Services Ombudsman |
| f. CRCL              | Office for Civil Rights & Civil Liberties                    |

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<sup>4</sup> The Privacy Office (PRIV) processes and reports on FOIA requests for PRIV, the Office of the Secretary (including the Military Advisor's Office), and the following components: CISOMB, CRCL, CWMD, ESEC, MGMT, OPE, OGC, OLA, OPA, OPS, and PLCY.

<sup>5</sup>On November 16, 2018, President Trump signed into law the Cybersecurity and Infrastructure Security Agency Act of 2018. This legislation elevated the mission of the former National Protection and Programs Directorate (NPPD) within DHS and established the Cybersecurity and Infrastructure Security Agency (CISA).

g.	CWMD	Countering Weapons of Mass Destruction Office <sup>6</sup>
h.	DHS	Department of Homeland Security
i.	ESEC	Office of the Executive Secretary
j.	FEMA	Federal Emergency Management Agency
k.	FLETC	Federal Law Enforcement Training Centers
l.	I&A	Office of Intelligence and Analysis
m.	ICE	U.S. Immigration and Customs Enforcement
n.	MGMT	Management Directorate
o.	MIL	Military Advisors Office
p.	NCSC	National Cyber Security Center
q.	OBIM	Office of Biometric Identity Management
r.	OCF	Office of Community Partnerships
s.	OGC	Office of the General Counsel
t.	OIG	Office of Inspector General
u.	OLA	Office of Legislative Affairs
v.	OPA	Office of Public Affairs
w.	OPE	Office of Partnership & Engagement
x.	OPS	Office of Operations Coordination
y.	PLCY	Office of Strategy, Policy, and Plans
z.	PRIV	Privacy Office
aa.	S&T	Science and Technology Directorate
bb.	TSA	Transportation Security Administration
cc.	USCG	United States Coast Guard
dd.	USCIS	U.S. Citizenship and Immigration Services

## 2. Definition of terms, as used in this report.

- a. **Administrative Appeal** – A request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level. Under section 704 of the Administrative Procedures Act, the Department’s response to an administrative appeal is considered final agency action that is then appealable to a federal district court.
- b. **Average Number** – The number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8, determined by dividing 24 by 3.
- c. **Backlog** – The number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.

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<sup>6</sup> In December 2018, President Trump signed the Countering Weapons of Mass Destruction Act of 2018, authorizing the CWMD Office. The Act transferred the functions, personnel, budget authority, and assets of the Domestic Nuclear Detection Office (DNDO) and the Office of Health Affairs (OHA), with the exception of workforce health and medical support functions that were transferred from OHA to the DHS Management Directorate, to the CWMD Office, and abolished DNDO and OHA.

- d. **Component** – For agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in the Annual FOIA Report data for both the agency overall and for each principal Component of the agency.
- e. **Consultation** – The procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it provides its views on the record to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – A federal statute other than FOIA that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.<sup>7</sup>
- g. **FOIA Request** – A FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), an organization, or a particular topic of interest. Moreover, because requesters covered by the Privacy Act who seek records concerning themselves (i.e., “first-party” requesters) are afforded the benefit of the access provisions of both FOIA and the Privacy Act, the term “FOIA request” also includes any such “first-party” requests when an agency determines that it must search beyond its Privacy Act “systems of records” or when the agency applies a Privacy Act exemption and therefore looks to FOIA to afford the greatest possible access. DHS applies this same interpretation of the term “FOIA request” even to “first-party” requests from persons not covered by the Privacy Act, e.g., non-U.S. citizens, because DHS by policy provides such persons the ability to access their own records in DHS’s Privacy Act “mixed systems of records” as if they are subject to the Privacy Act’s access provisions, and DHS processes the requests under FOIA as well. Thus, all requests that require DHS to utilize FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** – An agency decision to disclose all records in full in response to FOIA request.
- i. **Full Denial** – An agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more

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<sup>7</sup> Pursuant to 5 U.S.C. § 552(b)(3) as amended by sec. 564 of Public Law 111-83, a statute enacted after October 28, 2009, can qualify as an Exemption 3 law only if it cites specifically to 5 U.S.C. § 552(b)(3).



of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.

- j. **Median Number** – The middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** – A system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
  - i. **Expedited Processing** – An agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
  - ii. **Simple Request** – A FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity of records requested.
  - iii. **Complex Request** – A FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – An agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** – A pending request is one where the agency has not yet provided a response to the requester. A pending administrative appeal is where one where the agency has not taken final action in all respects.
- n. **Perfect Request** – A request for records that reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- o. **Processed Request or Processed Administrative Appeal** – A processed request is one where the agency has provided a complete response to the requester's initial request. A processed administrative appeal is one where the agency has advised the requester of its final decision on the requester's appeal as to the handling of the initial request. The final decision on an administrative appeal is a final agency action under section 704 of the APA and is considered final agency action that is then appealable to a federal district court.
- p. **Range in Number of Days** – The lowest and highest number of days to process requests or administrative appeals.

- q. **Time Limits** – The time period in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a perfected FOIA request).<sup>8</sup>
3. Concise descriptions of FOIA exemptions:
- a. **Exemption 1:** classified national defense and foreign relations information.
  - b. **Exemption 2:** internal agency rules and practices (personnel).
  - c. **Exemption 3:** information that is prohibited from disclosure by another federal law.
  - d. **Exemption 4:** trade secrets and other confidential or financial information obtained from a person.
  - e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges, such as the deliberative process privilege, attorney work product privilege, and attorney client privilege.
  - f. **Exemption 6:** information that, if released, would be a clearly unwarranted invasion of personal privacy.
  - g. **Exemption 7:** law enforcement records where the disclosure would that (A) interfere with enforcement proceedings, B) deprive a person of a fair trial or impartial adjudication, C) constitute an unwarranted invasion of personal privacy, D) identity of a confidential source, E) disclose law enforcement techniques and procedures or guidelines for law enforcement investigations or prosecutions, or F) endanger the life or physical safety of any individual.
  - h. **Exemption 8:** information relating to the supervision of financial institutions.
  - i. **Exemption 9:** geological/geophysical information concerning wells.

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<sup>8</sup> Absent “unusual circumstances,” the FOIA provides that agencies should make a determination with respect to an appeal within twenty working-days of its receipt by the agency. 5 U.S.C. § 552(a)(6)(A)(ii).

#### IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component***		Total Number of Times Relied upon by Agency
5 U.S.C. app. § 107(a)(2) (Ethics in Government Act of 1978)	Confidential financial disclosure report pertaining to certain government employees	<u>Meyerhoff v. EPA</u> , 958 F.2d 1498, 1500-02 (9th Cir. 1992); <u>Boyd v. Exec. Office for U.S. Attorneys</u> , 161 F. Supp. 3d 1, 7 (D.D.C. 2015); <u>Seife v. NIH</u> , 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012).	ICE	1	1
6 U.S.C. § 121	Intelligence sources and methods		I&A PRIV	198 3	201
6 U.S.C. § 673(a)(1)(A) (Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014)	Voluntarily submitted critical infrastructure information		CISA	3	3
6 U.S.C. 623(e)	Certain anti-terrorism information related to chemical facilities		CISA	1	1
7 U.S.C. § 136i-1(b) (Federal Insecticide, Fungicide, and Rodenticide Act)	“[D]ata, including the location from which the data was derived, that would directly or indirectly reveal the identity of individual producers [of certain pesticides]”	<u>Doe v. Veneman</u> , 380 F.3d 807, 817 (5th Cir. 2004).	CISA	2	2
7 U.S.C. 2276(a)(2) (Food Security Act of 1985)	“[I]nformation furnished under a provision of law referred to in subsection (d) of this section . . . unless such information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied particular information”	<u>Strunk v. U.S. Dept. of Interior</u> , 752 F. Supp. 2d 39, 44-45 (D.D.C. 2010).	ICE	1	1

\*\*\* DHS Component(s) are referred to as “Component” for the remainder of this report.

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component***		Total Number of Times Relied upon by Agency
8 U.S.C. § 1202(f) (Immigration and Nationality Act)	Certain records pertaining to the issuance or refusal of visas to enter the United States	<u>Medina-Hincapie v. Dep't of State</u> , 700 F.2d 737, 741-42 (D.C. Cir. 1983); <u>DeLaurentiis v. Haig</u> , 686 F.2d 192, 194 (3d Cir. 1982); <u>Assadi v. Dep't of State</u> , No. 12-1111, 2014 WL 4704840, at *6 (S.D.N.Y. Sept. 19, 2014); <u>Beltranena v. U.S. Dep't of State</u> , 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); <u>Badalamenti v. U.S. Dep't of State</u> , 899 F. Supp. 542, 547 (D. Kan. 1995); <u>Jan-Xin Zang v. FBI</u> , 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); <u>Smith v. DOJ</u> , No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983).	CISA  ICE  USCIS	3,237  2  29,241	32,480
10 U.S.C. § 130b	Personally identifiable information pertaining to “any member of the armed forces assigned to an overseas unit, a sensitive unit, or a routinely deployable unit” and “any employee of the Department of Defense or of the Coast Guard whose duty station is with any such unit”	<u>Freedom Watch, Inc. v. NSA</u> , 197 F. Supp. 3d 165, 174 (D.D.C. 2016); <u>Hiken v. DOD</u> , 521 F. Supp. 2d 1047, 1062 (N.D. Cal. 2007); <u>O’Keefe v. DOD</u> , 463 F. Supp. 2d 317, 325 (E.D.N.Y. 2006); <u>Windel v. United States</u> , No. A02-306, 2005 WL 846206, at *2 (D. Alaska Apr. 11, 2005).	USCG	1	1
10 U.S.C. § 424	Organization or any function of an organization, and certain information pertaining to, employees of the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency	<u>Hamdan v. DOJ</u> , 797 F.3d 759, 776 (9th Cir. 2015); <u>Freedom Watch, Inc. v. NSA</u> , 197 F. Supp. 3d 165, 174 (D.D.C. 2016); <u>Wickwire Gavin, P.C. v. Def. Intelligence Agency</u> , 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).	USCG	1	1
15 U.S.C. §§ 46(f), 57b-2(f) (Federal Trade Commission Act)	“[A]ny trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential” and certain investigative materials received by the FTC and “provided pursuant to any compulsory process under this subchapter or which is provided voluntarily in place of such compulsory process”	<u>A. Michael’s Piano, Inc. v. FTC</u> , 18 F.3d 138, 143-44 (2d Cir. 1994) (15 U.S.C. § 57b-2); <u>Ctr. for Digital Democracy v. FTC</u> , 189 F. Supp. 3d 151, 158-59 (D.D.C. 2016) (15 U.S.C. § 46(f)); <u>Ayuda, Inc. v. FTC</u> , 70 F. Supp. 3d 247, 278-79 (D.D.C. 2014) (15 U.S.C. § 57b-2); <u>National Educ. Ass’n v. FTC</u> , No. 79-959-S, 1983 WL 1883, at *1 (D. Mass. Sept. 26, 1983) (15 U.S.C. § 57b-2).	ICE  PRIV	14  1	15

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component***		Total Number of Times Relied upon by Agency
18 U.S.C. §§ 2510-20 (Title III of the Omnibus Crime Control and Safe Streets Act)	Wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps	<u>Mendoza v. DEA</u> , No. 07-5006, 2007 U.S. App. LEXIS 22175 (D.C. Cir. Sept. 14, 2007) (per curiam); <u>Lam Lek Chong v. DEA</u> , 929 F.2d 729, 733 (D.C. Cir. 1991); <u>Payne v. DOJ</u> , No. 96-30840, slip op. at 5-6 (5th Cir. July 11, 1997).	USSS	3	3
18 U.S.C. § 3509(d) (Federal Victims' Protection and Rights Act)	Certain records containing identifying information pertaining to children involved in criminal proceedings	<u>Davis v. U.S. Postal Inspection Serv.</u> , No. 13-01972, 2014 WL 7014877, at *3 (D.D.C. Dec. 15, 2014); <u>Rodriguez v. U.S. Dep't of Army</u> , 31 F. Supp. 3d 218, 236-37 (D.D.C. 2014).	ICE	1	1
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	<u>Church of Scientology v. IRS</u> , 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); <u>Leonard v. U.S. Dep't of Treasury</u> , 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); <u>Pac. Fisheries, Inc. v. IRS</u> , 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); <u>Tax Analysts v. IRS</u> , 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	CBP FEMA ICE USCIS	2 1 5 2,066	2,074
31 U.S.C. § 5319 (Bank Secrecy Act)	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	<u>Ortiz v. DOJ</u> , No. 12-1674, 2014 WL 4449686, at *4 (D.D.C. Sept. 9, 2014); <u>Rosenberg v. ICE</u> , 13 F. Supp. 3d 92, 114-15 (D.D.C. 2014); <u>Hulstein v. DEA</u> , No. 10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); <u>Council on Am.-Islamic Relations, Cal. v. FBI</u> , 749 F. Supp. 2d 1104, 1117 (S.D. Cal. 2010); <u>Berger v. IRS</u> , 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), <u>aff'd on other grounds</u> , 288 F. App'x 829 (3d Cir. 2008).	ICE	15	15



Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component***		Total Number of Times Relied upon by Agency
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	<u>Sinkfield v. HUD</u> , No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); <u>Margolin v. NASA</u> , No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); <u>Hornbostel v. U.S. Dep't of the Interior</u> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	CBP  FEMA  FLETC  PRIV  S&T	8  14  1  1  3	27
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))* (Procurement Integrity Act)	Contractor bid or proposal information; source selection information	<u>Legal &amp; Safety Employer Research, Inc. v. U.S. Dep't of the Army</u> , No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	FEMA  ICE  PRIV  S&T  TSA	1  5  1  2  1	10
49 U.S.C. § 114	Information obtained or developed in carrying out security under the authority of the Aviation and Transportation Security Act or under chapter 449 of this title	<u>Skurow v. DHS</u> , No. 11-1296, 2012 WL 4380895, at *9-10 (D.D.C. Sept. 26, 2012); <u>Tooley v. Bush</u> , No. 06-306, 2006 WL 3783142, at *19 (D.D.C. Dec. 21, 2006), <u>aff'd on other grounds</u> , 586 F.3d 1006 (D.C. Cir. 2009); <u>Gordon v. FBI</u> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	CBP  FEMA  ICE  OIG  PRIV  TSA  USCG  USSS	8  5  5,182  1  5  107  3  55	5,366
49 U.S.C. § 1114(c) (Transportation Safety Act of 1974)	Certain "cockpit voice or video recorder recording[s] or transcript[s] of communications by and between flight crew members and ground stations pertaining to [ ] incident[s] investigated by the [National Transportation Safety] Board"	<u>McGilvra v. NTSB</u> , 840 F. Supp. 100, 102 (D. Colo. 1993).	TSA	1	1
49 U.S.C. § 40119(b) (Federal Aviation Act)	Certain information obtained or developed in ensuring transportation security if disclosure of that information would: constitute an invasion of personal privacy, reveal a trade secret or confidential commercial or financial information, or be detrimental to transportation safety	<u>Pub. Citizen, Inc. v. FAA</u> , 988 F.2d 186, 194 (D.C. Cir. 1993); <u>Gordon v. FBI</u> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	ICE  TSA	50  1	51

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component***		Total Number of Times Relied upon by Agency
50 U.S.C. § 403g (currently at 50 U.S.C. § 3507) (Central Intelligence Agency Act of 1949)	Intelligence sources and methods; certain information pertaining to Agency employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency"	<u>ACLU v. DOJ</u> , 681 F.3d 61, 72-75 (2d Cir. 2012); <u>Larson v. Dep't of State</u> , 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); <u>Berman v. CIA</u> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <u>Makky v. Chertoff</u> , 489 F. Supp. 2d 421, 442 (D.N.J. 2007), aff'd on other grounds, 541 F. 3d 205 (3d Cir. 2008).	PRIV TSA USSS	1 1 2	4
50 U.S.C. § 3024(i)(1) (formerly at 50 U.S.C. § 403-1(i)(1)) (National Security Act of 1947)	Intelligence sources and methods	<u>CIA v. Sims</u> , 471 U.S. 159, 167 (1985); <u>ACLU v. DOJ</u> , 681 F.3d 61, 72-75 (2d Cir. May 21, 2012); <u>ACLU v. DOD</u> , 628 F.3d 612, 619, 626 (D.C. Cir. 2011); <u>Berman v. CIA</u> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007).	I&A TSA USCG USCIS	197 1 1 1	200
50 U.S.C. § 3507 (formerly at 50 U.S.C. § 403g)	Intelligence sources and methods; certain information pertaining to Agency employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency"	<u>ACLU v. DOJ</u> , 681 F.3d 61, 72-75 (2d Cir. 2012); <u>Larson v. Dep't of State</u> , 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); <u>Berman v. CIA</u> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <u>Makky v. Chertoff</u> , 489 F. Supp. 2d 421, 442 (D.N.J. 2007), aff'd on other grounds, 541 F. 3d 205 (3d Cir. 2008).	PRIV TSA USSS	1 1 2	4
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	<u>Sussman v. USMS</u> , 494 F.3d 1106, 1113 (D.C. Cir. 2007); <u>Fund for Constitutional Gov't v. Nat'l Archives &amp; Records Serv.</u> , 656 F.2d 856, 867-68 (D.C. Cir. 1981); <u>Durham v. U.S. Atty. Gen.</u> , No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); <u>Cozen O'Connor v. U.S. Dep't of Treasury</u> , 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	ICE USCIS	1 2	2

## V. FOIA Requests

### A. Received, Processed, and Pending FOIA Requests

Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
CBP	7,557 <sup>†††</sup>	87,388	74,894	20,051
CISA	2,619 <sup>†††</sup>	37,516	38,033	2,102
FEMA	516 <sup>§§§</sup>	1,131	1,382	265
FLETC	33	231	253	11
I&A	24 <sup>****</sup>	327	340	11
ICE	726 <sup>††††</sup>	70,267 <sup>††††</sup>	67,365	3,628
OIG	122 <sup>§§§§</sup>	291	226	187
PRIV	573 <sup>*****</sup>	1,448	1,435	586
S&T	10	189	163	36
TSA	691 <sup>†††††</sup>	1,012	866	837
USCG	1,761 <sup>†††††</sup>	2,739	2,569	1,931
USCIS <sup>§§§§§</sup>	47,148 <sup>*****</sup>	191,804	186,137	52,815
USSS	1,188 <sup>††††††</sup>	1,408	1,282	1,314
<b>AGENCY OVERALL</b>	<b>62,968</b>	<b>395,751</b>	<b>374,945</b>	<b>83,774</b>

### B. (1) Disposition of FOIA Requests – All Processed Requests

Component	No. of Full Grants	No. of Partial Grants/ Partial Denials	No. of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									Total
				No Records	All Records Referred	Request Withdrawn	Fee-Related Reason	Not Reasonably Described	Improper FOIA Request	Not Agency Record	Duplicate Request	Other	
CBP	9,048	21,242	95	26,345	44	726	14	562	10,510	3,807	2,501	0	<b>74,894</b>
CISA	1,063	24,531	15	11,893	30	18	2	230	111	27	85	28	<b>38,033</b>
FEMA	278	596	16	172	21	217	0	39	10	5	8	20	<b>1,382</b>
FLETC	18	43	11	50	5	9	0	48	35	29	5	0	<b>253</b>
I&A	14	32	180	37	18	4	3	7	4	35	2	4	<b>340</b>
ICE	1,799	58,924	1,350	3,395	26	28	13	199	1,026	96	79	430	<b>67,365</b>
OIG	28	121	26	30	6	0	0	0	1	3	6	5	<b>226</b>

<sup>†††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>†††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>§§§</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>\*\*\*\*</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>††††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>††††</sup> Due to a tracking error, ICE did not account for 17,043 referrals that it received from USCIS during the reporting period. These referrals will be accounted for in next year's Annual FOIA Report. ICE has taken steps to ensure accurate tracking of referrals going forward.

<sup>§§§§</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>\*\*\*\*\*</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>†††††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>†††††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>§§§§§</sup> Number of Requests Processed and Number of Requests Received based on agency's raw data, which does not match reporting numbers contained within the USCIS processing system.

<sup>\*\*\*\*\*</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

<sup>††††††</sup> Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

Component	No. of Full Grants	No. of Partial Grants/ Partial Denials	No. of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									Total
				No Records	All Records Referred	Request Withdrawn	Fee-Related Reason	Not Reasonably Described	Improper FOIA Request	Not Agency Record	Duplicate Request	Other	
PRIV	100	210	30	82	582	24	3	351	3	5	22	23	1,435
S&T	6	11	7	24	15	3	0	68	19	7	3	0	163
TSA	124	222	38	125	98	103	2	4	137	0	8	5	866
USCG	1,136	244	53	354	121	539	3	0	28	15	26	50	2,659
USCIS	12,048	119,552	4,261	23,077	578	96	1	12	7,622	149	18,741	0	186,137
USSS	34	287	21	331	20	12	1	29	441	42	2	62	1,282
<b>AGENCY OVERALL</b>	<b>25,696</b>	<b>226,015</b>	<b>6,103</b>	<b>65,915</b>	<b>1,564</b>	<b>1,779</b>	<b>42</b>	<b>1,549</b>	<b>19,947</b>	<b>4,220</b>	<b>21,488</b>	<b>627</b>	<b>374,945</b>

**B. (2) Disposition of FOIA Requests – “Other” Reasons for “Full Denials Based on Reasons Other than Exemptions” from Section V, B(1) Chart**

Component	Description	No. of Times Used	Total
CBP	N/A	0	0
CISA	Litigation	4	28
	Referred Documents Not Responsive	1	
	Unable to Locate or Contact Requester	23	
FEMA	Aggregate Cases	3	20
	Litigation	11	
	Referred Documents Not Responsive	2	
	Unable to Locate or Contact Requestor	4	
FLETC	N/A	0	0
I&A	Litigation	4	4
ICE	Aggregate Cases	50	430
	Fugitive Disentitlement	8	
	Litigation	41	
	Referred Documents Not Responsive	320	
	Unable to Locate or Contact Requestor	11	

Component	Description	No. of Times Used	Total
OIG	Aggregate Cases	1	5
	Litigation	3	
	Referred Documents Not Responsive	1	
PRIV	Aggregate Cases	3	23
	Litigation	20	
S&T	N/A	0	0
TSA	Litigation	2	5
	Unable to Locate or Contact Requester	3	
USCG	Litigation	1	50
	Unable to Locate or Contact Requester	49	
USCIS	N/A	0	0
USSS	Litigation	26	62
	Referred Documents Not Responsive	13	
	Unable to Locate or Contact Requester	23	
<b>AGENCY OVERALL</b>			<b>627</b>

### **B. (3) Disposition of FOIA Requests – Number of Times Exemptions Applied**

Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
CBP	0	407	11	27	399	20,937	30	7	20,831	8	21,112	26	0	0
CISA	3	17	3,243	34	61	22,121	9	8	20,626	5	24,004	27	0	0
FEMA	0	3	21	106	48	562	3	1	36	2	43	0	0	0
FLETC	0	2	1	7	10	41	4	0	9	0	3	1	0	0
I&A	5	0	395	0	7	29	1	0	3	1	83	0	0	0
ICE	70	48	5,210	48	3,489	58,919	139	81	58,938	103	54,302	152	6	0
OIG	4	1	1	1	15	111	17	0	104	14	15	1	0	0



Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
PRIV	1	0	8	22	54	204	3	0	61	22	44	1	0	0
S&T	0	1	3	5	1	11	0	0	0	0	5	4	0	0
TSA	2	22	107	21	41	204	7	0	52	0	0	0	0	0
USCG	4	12	6	21	72	227	44	2	107	3	10	0	0	0
USCIS	0	80	31,258	41	28,739	65,267	3	0	87,047	2	93,932	11	0	0
USSS	3	0	58	47	26	284	7	1	293	15	246	1	0	0
<b>AGENCY OVERALL</b>	<b>92</b>	<b>593</b>	<b>40,322</b>	<b>380</b>	<b>32,962</b>	<b>168,917</b>	<b>267</b>	<b>100</b>	<b>188,107</b>	<b>175</b>	<b>193,799</b>	<b>224</b>	<b>6</b>	<b>0</b>

## VI. Administrative Appeals of Initial Determinations of FOIA Requests

### A. Received, Processed, and Pending Administrative Appeals

Component	No. of Appeals Pending as of Start of Fiscal Year	No. of Appeals Received in Fiscal Year	No. of Appeals Processed in Fiscal Year	No. of Appeals Pending as of End of Fiscal Year
CBP	164+++++	2,423	2,507	80
FEMA	11	31	35	7
FLETC	0	4	3	1
ICE	77+++++	492	525	44
OGC	114+++++	368	334	148
OIG	1	11	11	1
TSA	7	19	21	5
USCG	21	30	36	15
USCIS	73	1,968	1,819	222
USSS	7+++++	40	36	11
<b>AGENCY OVERALL</b>	<b>475</b>	<b>5,386</b>	<b>5,327</b>	<b>534</b>

### B. Disposition of Administrative Appeals – All Processed Appeals

Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	Total
CBP	539	426	1,105	437	2,507
FEMA	8	4	17	6	35
FLETC	1	0	0	2	3
ICE	300	80	100	45	525
OGC	67	1	64	202	334
OIG	5	2	2	2	11
TSA	10	4	1	6	21
USCG	14	8	2	12	36
USCIS	456	933	309	121	1,819

+++++ Number Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

+++++ Number Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

+++++ Number Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

+++++ Number Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2017.

Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	Total
USSS	20	5	6	5	36
<b>AGENCY OVERALL</b>	<b>1,420</b>	<b>1,463</b>	<b>1,606</b>	<b>838</b>	<b>5,327</b>

### C. (1) Reasons for Denial on Appeal – Number of Times Exemptions Applied

Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
CBP	0	11	10	9	30	1,144	1	243	1,405	2	2,081	22	0	0
FEMA	0	0	1	1	3	7	0	0	0	0	0	0	0	0
FLETC	0	0	0	0	0	1	0	0	1	0	0	0	0	0
ICE	0	1	8	3	24	210	12	0	202	6	173	2	0	0
OGC	0	0	19	0	2	50	0	0	50	0	50	0	0	0
OIG	0	0	0	0	1	5	0	0	5	0	0	0	0	0
TSA	0	0	6	1	2	7	1	0	1	0	1	0	0	0
USCG	0	0	0	1	4	10	4	0	7	0	0	0	0	0
USCIS	0	1	404	0	361	675	0	0	1,033	0	1,067	0	0	0
USSS	0	0	1	1	3	13	3	0	13	1	9	0	0	0
<b>AGENCY OVERALL</b>	<b>0</b>	<b>13</b>	<b>449</b>	<b>16</b>	<b>430</b>	<b>2,122</b>	<b>21</b>	<b>243</b>	<b>2,717</b>	<b>9</b>	<b>3,381</b>	<b>24</b>	<b>0</b>	<b>0</b>

### C. (2) Reasons for Denial on Appeal – Reasons Other than Exemptions

Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial for Expedited Processing	Other *Explain in chart C.(3), below
CBP	31	7	15	0	3	293	21	64	3	0	0
FEMA	2	0	1	0	0	2	0	1	0	0	0
FLETC	0	0	2	0	0	0	0	0	0	0	0
ICE	27	0	0	0	1	0	2	4	6	0	5
OGC	63	0	3	0	2	6	0	0	3	3	122
OIG	0	0	2	0	0	0	0	0	0	0	0
TSA	4	0	0	0	0	0	0	0	0	1	1
USCG	2	0	9	0	0	0	0	0	1	0	0
USCIS	0	0	0	0	0	114	0	7	0	0	0
USSS	10	1	0	0	0	1	4	0	1	2	3
<b>AGENCY OVERALL</b>	<b>139</b>	<b>8</b>	<b>32</b>	<b>0</b>	<b>6</b>	<b>416</b>	<b>27</b>	<b>76</b>	<b>14</b>	<b>6</b>	<b>131</b>

**C. (3) Reasons for Denial on Appeal – “Other” Reasons from Section VI, C (2)  
Chart**

Component	Description	No. of Times Used	Total
CBP	N/A	0	0
FEMA	N/A	0	0
FLETC	N/A	0	0
ICE	Agency Performed Adequate Search	2	5
	Improper Appeal	3	
OGC	Agency Performed Adequate Search	112	122
	Improper Appeal	10	
OIG	N/A	0	0
TSA	Improper Appeal	1	1
USCG	N/A	0	0
USCIS	N/A	0	0
USSS	Moot	3	3
<b>AGENCY OVERALL</b>			<b>131</b>

**C. (4) Response Times for Administrative Appeals**

Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CBP	7.00	16.54	1.00	1,125.00
FEMA	83.00	172.17	1.00	1,142.00
FLETC	84.00	92.67	50.00	144.00
ICE	20.00	11.00	1.00	31.00
OGC	141.50	144.52	15.00	621.00
OIG	26.00	31.36	1.00	72.00
TSA	23.00	55.00	6.00	385.00
USCG	80.00	166.21	8.00	1,204.00
USCIS	11.00	10.41	1.00	84.00
USSS	23.50	33.39	5.00	151.00
<b>AGENCY OVERALL</b>	<b>12.00</b>	<b>27.18</b>	<b>1.00</b>	<b>1,204.00</b>

### C. (5) Ten Oldest Pending Administrative Appeals

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
CBP	Date of Receipt	2017-10-02	2017-09-15	2017-07-17	2017-07-10	2017-06-15	2017-04-26	2017-02-03	2016-08-05	2016-07-22	2016-07-14
	Number of Days Pending	260	271	315	320	337	373	425	541	551	557
FEMA	Date of Receipt	N/A	N/A	N/A	2018-09-27	2018-09-20	2018-08-15	2108-05-31	2018-05-22	2018-04-03	2018-04-02
	Number of Days Pending	0	0	0	1	8	32	84	89	126	131
FLETC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-04-02
	Number of Days Pending	0	0	0	0	0	0	0	0	0	77
ICE	Date of Receipt	2018-09-10	2018-09-10	2018-09-10	2018-09-10	2018-09-07	2018-09-06	2018-09-06	2018-08-31	2018-08-31	2018-08-27
	Number of Days Pending	15	15	15	15	16	17	17	20	20	24
OGC	Date of Receipt	2018-01-30	2018-01-12	2018-01-05	2018-01-08	2017-11-30	2017-11-08	2017-11-01	2017-10-31	2017-10-27	2017-10-12
	Number of Days Pending	175	180	185	201	209	223	228	229	231	242
OIG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-21	2018-04-09	2018-06-19
	Number of Days Pending	0	0	0	0	0	0	0	5	121	207
TSA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	2018-08-23	2018-08-21	2018-08-20	2018-08-09	2018-06-19
	Number of Days Pending	0	0	0	0	0	27	28	31	38	80
USCG	Date of Receipt	2018-01-10	2017-10-07	2017-10-05	2017-09-13	2017-09-13	2017-09-13	2017-01-17	2016-10-18	2015-09-03	2014-06-06
	Number of Days Pending	182	244	246	262	262	262	429	489	770	1,083
USCIS	Date of Receipt	2018-07-31	2018-07-25	2018-07-25	2018-07-24	2018-07-24	2018-07-24	2018-07-20	2018-07-16	2018-07-16	2018-07-10
	Number of Days Pending	42	46	46	47	47	47	50	53	53	57
USSS	Date of Receipt	2018-09-10	2018-08-03	2018-07-27	2018-07-27	2018-01-08	2018-01-08	2018-01-08	2018-01-08	2018-01-08	2018-01-08
	Number of Days Pending	14	39	44	44	184	184	184	184	184	184
AGENCY OVERALL	Date of Receipt	2017-07-10	2017-04-26	2017-02-03	2017-01-17	2016-10-18	2016-08-05	2016-07-22	2016-07-14	2015-09-03	2014-06-06
	Number of Days Pending	320	373	425	429	489	541	551	557	770	1,083

## VII. FOIA Requests: Response Time for Processed and Pending Requests

### A. Processed Requests – Response Time for All Processed Perfected Requests

Component	Simple				Complex				Expedited			
	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
CBP	33.00	43.35	1.00	749.00	36.00	128.87	1.00	996	59.5	72.72	2	376
CISA	16.00	14.86	1.00	20	42.00	47.38	21.00	824	48	85.3	1	560
FEMA	5.00	7.17	1.00	20	104.50	186.84	21.00	1,163	16.5	45.36	2	207
FLETC	15.00	30.82	1.00	216	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	1.00	3.57	1.00	84	5.00	24.2	1.00	521	86	70.4	17	90
ICE	2.00	6.50	1.00	62	78.00	103.69	1.00	589	15	85.3	1	396
OIG	54.00	109.75	1.00	947	596.00	520.05	66.00	1,040	12	26	2	96
PRIV	1.00	7.82	1.00	305	61.00	99.37	1.00	583	155	151.17	1	404
S&T	7.50	12.00	1.00	67	25.00	35.89	1.00	214	7	7	7	7
TSA	9.00	35.00	1.00	393	157.00	276	1.00	1,593	N/A	N/A	N/A	N/A
USCG	20.00	71.72	1.00	965	699.00	626.15	1.00	1,254	N/A	N/A	N/A	N/A
USCIS	35.00	34.92	1.00	447.00	105.00	79.77	1.00	623	27	47.67	1	288
USSS	13.00	12.02	1.00	20.00	150.00	243.56	16.00	1,586	N/A	N/A	N/A	N/A
<b>AGENCY OVERALL</b>	<b>16.00</b>	<b>27.37</b>	<b>1.00</b>	<b>965.00</b>	<b>103.00</b>	<b>79.53</b>	<b>1.00</b>	<b>1,593</b>	<b>24</b>	<b>62.36</b>	<b>1</b>	<b>560</b>

### B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted

Component	Simple				Complex				Expedited			
	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
CBP	33	43.35	1	749	36	128.87	1	996	59.5	72.72	2	376
CISA	17	15.86	1	20	43	48.4	21	824	48	106	33	560
FEMA	10	9.86	1	20	116	195.61	21	1,163	21.5	50.9	7	207
FLETC	13.5	19.56	2	66	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	4.5	7	1	18	10	38	1	230	86	69.75	17	90
ICE	2	5.71	1	947	107	132.49	3	589	15	31.33	1	396
OIG	56	122	1	941	596	520.35	66	1,040	7.5	28.25	2	96
PRIV	1	13.73	1	211	83	112.06	1	583	200.5	184.5	1	353
S&T	20	23.25	6	67	64.5	85.75	5	214	7	7	7	7
TSA	48	65	1	256	192	352	11	1,593	N/A	N/A	N/A	N/A
USCG	41	75.75	1	601	267	360.98	22	1,254	N/A	N/A	N/A	N/A
USCIS	39	43.34	1	447	109	79.77	1	623	29	45.28	1	188
USSS	15	14.14	1	18	202	261.9	22	1,360	N/A	N/A	N/A	N/A
<b>AGENCY OVERALL</b>	<b>13</b>	<b>26.76</b>	<b>1</b>	<b>941</b>	<b>106</b>	<b>98.44</b>	<b>1</b>	<b>1,593</b>	<b>22</b>	<b>51.40</b>	<b>1</b>	<b>560</b>



## C. Processed Requests – Response Time in Day Increments

### (1) Simple Requests

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	Total
CBP	16,823	18,812	11,972	8,600	2,942	1,893	1,036	445	141	62	130	51	86	62,993
CISA	5,633	0	0	0	0	0	0	0	0	0	0	0	0	5,633
FEMA	487	0	0	0	0	0	0	0	0	0	0	0	0	487
FLETC	106	26	11	6	7	5	2	3	0	2	2	0	0	170
I&A	153	2	1	0	1	0	0	0	0	0	0	0	0	157
ICE	60,330	2,921	882	278	141	119	69	49	25	29	90	19	14	64,966
OIG	47	33	33	15	15	7	5	4	6	4	12	8	12	201
PRIV	548	4	3	3	2	2	2	0	0	1	2	1	0	568
S&T	25	4	0	1	0	0	0	0	0	0	0	0	0	30
TSA	215	31	26	17	20	17	6	2	5	3	5	1	0	348
USCG	1,107	454	124	68	37	34	21	14	10	4	34	8	140	2,055
USCIS	12,179	10,265	9,410	1,381	304	593	779	698	85	50	85	16	5	35,850
USSS	139	0	0	0	0	0	0	0	0	0	0	0	0	139
<b>AGENCY OVERALL</b>	<b>97,792</b>	<b>32,552</b>	<b>22,462</b>	<b>10,369</b>	<b>3,469</b>	<b>2,670</b>	<b>1,920</b>	<b>1,215</b>	<b>272</b>	<b>155</b>	<b>360</b>	<b>104</b>	<b>257</b>	<b>173,597</b>

### (2) Complex Requests

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	Total
CBP	157	217	61	39	36	19	15	20	10	13	31	22	77	717
CISA	0	14,966	12,129	3,091	823	308	161	137	113	75	139	45	50	32,037
FEMA	0	164	107	80	55	46	33	29	21	21	90	74	112	832
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I&A	116	20	7	8	6	2	2	0	0	1	1	0	1	164
ICE	172	113	103	79	80	60	39	39	29	35	120	35	2	906
OIG	0	0	0	1	0	0	0	4	0	0	3	0	11	19
PRIV	199	7	6	14	21	12	22	28	30	11	42	26	9	427
S&T	22	13	2	1	4	0	0	1	1	0	1	0	0	45
TSA	54	32	34	24	15	11	5	18	13	10	49	21	88	374
USCG	17	44	18	9	5	2	2	5	6	1	20	12	342	483
USCIS	40,223	1,997	625	420	8,093	80,590	6,968	2,241	600	340	411	80	16	142,604
USSS	5	114	60	54	40	30	25	25	42	11	68	88	110	672
<b>AGENCY OVERALL</b>	<b>40,965</b>	<b>17,687</b>	<b>13,152</b>	<b>3,820</b>	<b>9,178</b>	<b>81,080</b>	<b>7,272</b>	<b>2,547</b>	<b>865</b>	<b>518</b>	<b>975</b>	<b>403</b>	<b>818</b>	<b>179,280</b>

**(3) Requests Granted Expedited Processing**

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	Total
CBP	16	15	19	17	10	8	4	4	0	0	3	2	0	<b>98</b>
CISA	3	4	5	4	1	1	0	0	0	0	1	0	1	<b>20</b>
FEMA	8	2	0	0	2	1	0	0	0	0	1	0	0	<b>14</b>
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
I&A	1	0	0	1	3	0	0	0	0	0	0	0	0	<b>5</b>
ICE	282	117	107	88	78	61	39	39	32	38	132	37	2	<b>1,052</b>
OIG	4	0	0	0	1	0	0	0	0	0	0	0	0	<b>5</b>
PRIV	14	0	2	0	2	2	7	18	14	4	17	2	1	<b>83</b>
S&T	1	0	0	0	0	0	0	0	0	0	0	0	0	<b>1</b>
TSA	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
USCG	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
USCIS	18	11	6	4	3	1	0	2	1	1	1	0	0	<b>48</b>
USSS	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<b>AGENCY OVERALL</b>	<b>347</b>	<b>149</b>	<b>139</b>	<b>114</b>	<b>100</b>	<b>74</b>	<b>50</b>	<b>63</b>	<b>47</b>	<b>43</b>	<b>155</b>	<b>41</b>	<b>4</b>	<b>1,326</b>

**D. Pending Requests – All Pending Perfected Requests**

Component	Simple			Complex			Expedited		
	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days
CBP	19,487	27	46.74	531	90	197.72	33	65	82.6
CISA	1,220	17	15.38	556	24	85.33	6	145	187
FEMA	36	8.5	8.33	226	111.5	158.37	3	165	193
FLETC	11	58	63	0	N/A	N/A	0	N/A	N/A
I&A	0	N/A	N/A	10	42	96.1	1	116	116
ICE	2,911	9	35	550	125	139.6	50	15.5	60.38
OIG	167	105	168	20	495	516	0	N/A	N/A
PRIV	18	5.5	10.78	461	155	196.36	85	272	279.99
S&T	0	N/A	N/A	32	54	71.53	0	N/A	N/A
TSA	181	94	115	653	395	436	1	1	1
USCG	1,317	115	187.79	577	893	875.53	1	918	918
USCIS	2,843	14	43.69	49,936	57	59.24	36	172.5	207.58
USSS	83	13	11.7	1,231	271	378.04	0	N/A	N/A
<b>AGENCY OVERALL</b>	<b>28,274</b>	<b>24</b>	<b>51.42</b>	<b>54,783</b>	<b>60</b>	<b>83.43</b>	<b>222</b>	<b>171.5</b>	<b>195.28</b>

### E. Pending Requests – Ten Oldest Pending Perfected Requests

Component	Sub-Row Heading	10th	9 <sup>th</sup>	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CBP	Date of Receipt	2015-03-10	2015-02-26	2015-02-04	2015-02-04	2015-01-20	2014-11-13	2014-11-07	2014-09-04	2014-04-02	2014-04-02
	Number of Days Pending	897	905	920	920	931	975	978	1,023	1,131	1,173
CISA	Date of Receipt	2016-10-26	2016-10-21	2016-10-04	2016-10-04	2016-06-14	2016-05-26	2016-05-26	2016-05-12	2016-02-17	2015-11-06
	Number of Days Pending	483	486	498	498	579	588	588	598	659	726
FEMA	Date of Receipt	2016-12-14	2016-11-02	2016-09-02	2016-05-11	2016-04-14	2016-03-17	2015-11-09	2015-10-05	2015-03-31	2014-05-09
	Number of Days Pending	450	478	519	599	618	638	725	749	880	1,089
FLETC	Date of Receipt	2018-09-04	2018-08-30	2018-08-29	2018-08-20	2018-07-11	2018-07-11	2018-06-22	2018-04-26	2018-03-27	2018-02-13
	Number of Days Pending	19	22	23	30	58	58	71	112	134	164
I&A	Date of Receipt	2018-08-27	2018-08-09	2018-08-08	2018-08-06	2018-07-25	2018-07-25	2018-07-09	2018-04-16	2017-09-05	2017-02-23
	Number of Days Pending	23	35	36	38	46	46	58	116	268	403
ICE	Date of Receipt	2017-03-09	2017-03-03	2017-03-03	2017-03-03	2017-02-21	2017-02-08	2017-01-31	2017-01-31	2017-01-31	2016-12-12
	Number of Days Pending	393	397	397	397	405	408	419	419	419	452
OIG	Date of Receipt	2106-03-30	2015-07-29	2015-07-29	2015-06-08	2015-06-01	2015-05-28	2015-03-04	2015-01-30	2014-12-17	2014-10-01
	Number of Days Pending	629	796	796	832	837	839	899	921	950	1,002
PRIV	Date of Receipt	2016-07-11	2016-07-05	2016-06-29	2016-06-28	2016-06-28	2016-06-13	2016-05-31	2016-01-21	2015-10-08	2014-11-04
	Number of Days Pending	558	562	565	566	566	577	586	677	746	985
S&T	Date of Receipt	2018-07-13	2018-07-17	2018-07-06	2018-04-13	2018-04-13	2018-04-13	2018-03-30	2018-02-16	2017-12-13	2017-10-04
	Number of Days Pending	54	58	58	98	98	98	133	156	200	247
TSA	Date of Receipt	2014-01-14	2014-01-03	2013-12-11	2013-11-06	2013-11-01	2013-10-18	2013-09-18	2013-08-07	2013-03-13	2013-03-13
	Number of Days Pending	1,183	1,190	1,204	1,227	1,230	1,240	1,250	1,279	1,382	1,382
USCG	Date of Receipt	2011-11-21	2011-12-14	2011-11-02	2011-09-22	2011-09-22	2011-10-12	2011-09-23	2011-09-21	2011-08-30	2011-06-15
	Number of Days Pending	1,688	1,692	1,720	1,728	1,728	1,735	1,747	1,749	1,764	1,820
USCIS	Date of Receipt	2017-01-31	2017-01-18	2017-01-17	2017-01-11	2017-01-10	2017-01-10	2016-12-12	2016-11-21	2016-11-08	2016-10-07
	Number of Days Pending	416	425	426	430	431	431	451	465	474	496
USSS	Date of Receipt	2013-03-05	2013-03-18	2013-03-11	2013-01-22	2013-01-22	2013-01-18	2012-11-06	2012-10-05	2012-04-17	2012-04-17
	Number of Days Pending	1,386	1,391	1,391	1,429	1,429	1,430	1,479	1,515	1,620	1,620
<b>AGENCY OVERALL</b>	<b>Date of Receipt</b>	<b>2011-11-21</b>	<b>2011-12-14</b>	<b>2011-11-02</b>	<b>2011-09-22</b>	<b>2011-09-22</b>	<b>2011-10-12</b>	<b>2011-09-23</b>	<b>2011-09-21</b>	<b>2011-08-03</b>	<b>2011-06-15</b>
	<b>Number of Days Pending</b>	<b>1,688</b>	<b>1,692</b>	<b>1,720</b>	<b>1,728</b>	<b>1,728</b>	<b>1,735</b>	<b>1,747</b>	<b>1,749</b>	<b>1,764</b>	<b>1,820</b>

## VIII. Requests for Expedited Processing and Requests for Fee Waivers

### A. Requests for Expedited Processing

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within 10 Calendar Days
CBP	113	1890	26	38.72	451
CISA	14	24	1	2.76	34
FEMA	17	94	1	10.85	99
FLETC	0	7	4	4.43	7
I&A	4	1	1	1	5
ICE	250	131	1	5.39	327
OIG	5	28	7	19.76	18
PRIV	83	57	2	3.84	134
S&T	1	0	6	6	1
TSA	33	133	1	1.5	135
USCG	0	2	15.5	15.5	1
USCIS	68	1055	1	8	1011
USSS	0	93	1	1.22	92
<b>AGENCY OVERALL</b>	<b>588</b>	<b>3,515</b>	<b>11</b>	<b>24.59</b>	<b>2,315</b>

### B. Requests for Fee Waiver

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
CBP	56	218	13	26.45
CISA	110	36	1	1.45
FEMA	60	17	5	20.22
FLETC	0	0	N/A	N/A
I&A	4	N/A	1	1
ICE	442	4	1	1.15
OIG	7	2	1	13.44
PRIV	298	31	1	3.14
S&T	1	0	4	4
TSA	39	193	1	1.4
USCG	3	0	8	9
USCIS	258	157	1	5.3
USSS	0	0	0	0
<b>AGENCY OVERALL</b>	<b>1,278</b>	<b>658</b>	<b>1</b>	<b>7.36</b>

## IX. FOIA Personnel and Costs

Component	Personnel			Costs		
	Number of “Full Time FOIA Employees”	Number of “Equivalent Full-Time FOIA Employees”	Total Number of “Full-Time FOIA Staff” (Col. 1 + Col. 2)	Processing Costs	Litigation - Related Costs	Total Costs
CBP	49	7.21	56.21	\$8,249,837.75	\$3,043,789.1	\$11,293,626.85
CISA	12	9.6	21.6	\$7,471,117.00	\$123,288.00	\$7,594,405.00
FEMA	12	13.7	25.7	\$3,059,363.47	\$503,887.00	\$3,563,250.47
FLETC	1	.4	1.4	\$312,765.68	0	\$312,765.68
I&A	2	1.2	3.2	\$253,008.00	\$199,852.00	\$452,860.00
ICE	50	0	50	\$7,089,650	\$2,149,450	\$9,239,100.00
OIG	4.58	3	7.58	\$806,439.00	\$209,206.38	\$1,015,645.38
PRIV	18.5	6.5	25	\$4,611,732.02	\$10,220.78	\$4,621,952.80
S&T	1.5	0	1.5	\$254,242.37	\$1,000.00	\$255,242.37
TSA	11	2	13	\$1,532,870.41	\$56,485.66	\$1,589,356.07
USCG	10	21.89	31.89	\$2,770,231.99	\$69,240.00	\$2,839,471.99
USCIS	216	122	338	\$31,162,700.94	\$903,700.48	\$32,066,401.42
USSS	12	4	16	\$1,631,838.40	\$209,520.36	\$1,841,358.76
<b>AGENCY OVERALL</b>	<b>399.58</b>	<b>191.5</b>	<b>591.08</b>	<b>\$9,205,797.03</b>	<b>\$7,479,639.76</b>	<b>\$76,685,436.79</b>

## X. Fees Collected for Processing Requests

Component	Total Amount of Fees Collected	Percentage of Total Costs
CBP	4,536.00	0%
CISA	\$0.00	0%
FEMA	\$0.00	0%
FLETC	\$0.00	0%
I&A	\$0.00	0%
ICE	\$0.00	0%
OIG	\$0.00	0%
PRIV	\$0.00	0%
S&T	\$408.00	0%
TSA	\$700.00	.05%
USCG	\$12,874.58	.46%
USCIS	\$0.00	0%
USSS	\$0.00	0%
<b>AGENCY OVERALL</b>	<b>\$18,518.58</b>	<b>.03%</b>

**XI. FOIA Regulations** – The Department of Homeland Security FOIA Implementing Regulations are codified at 6 C.F.R. Part 5, dated December 22, 2016, available at [http://www.dhs.gov/xlibrary/assets/FOIA\\_FedReg\\_Notice.pdf](http://www.dhs.gov/xlibrary/assets/FOIA_FedReg_Notice.pdf). This is the final rule which established procedures for the public to obtain information from the DHS under the Freedom of Information Act and the Privacy Act.

## XII. Backlogs, Consultations, and Comparisons

### A. Backlogs of FOIA Requests and Administrative Appeals

Component	Number of Backlogged Requests as of the End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
CBP	6,660*****	18
CISA	167	N/A
FEMA	212	5
FLETC	9	1
I&A	9	N/A
ICE	1,332	1
OGC	N/A	109
OIG	167	0
PRIV	511	N/A
S&T	30	N/A
TSA	757	5
USCG	1,586	14
USCIS	41,329*****	75
USSS	1,202	9
<b>AGENCY OVERALL</b>	<b>53,971</b>	<b>237</b>

### B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations

Component	Number of Consultations Received from Other Agencies that Were Pending at Your Agency as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed by Your Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were Pending at Your Agency as of the End of the Fiscal Year
CBP	55	98	118	35
CISA	30	18	22	26
FEMA	2	18	19	1
FLETC	0	5	3	2
I&A	5	8	5	8
ICE	98	108	112	94
OIG	0	13	12	1
PRIV	9	51	47	13
S&T	0	6	5	1
TSA	8	18	16	10
USCG	30	32	19	43
USCIS	25	76	67	34
USSS	65	54	38	81
<b>AGENCY OVERALL</b>	<b>327</b>	<b>505</b>	<b>483</b>	<b>349</b>

\*\*\*\*\* Backlog calculated by FOIAonline, which does not match raw data; due to updates to the FOIAonline system, not all CBP FOIA data was migrated by the end of the reporting period.

\*\*\*\*\* Backlog based on raw data, which does not match reporting numbers contained within the USCIS processing system.

**C. Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending**

<b>Component</b>	<b>Sub-Row Heading</b>	<b>10th</b>	<b>9th</b>	<b>8th</b>	<b>7th</b>	<b>6th</b>	<b>5th</b>	<b>4th</b>	<b>3rd</b>	<b>2nd</b>	<b>Oldest Request</b>
CBP	Date of Receipt	2017-12-28	2017-12-27	2017-11-20	2017-11-16	2017-10-16	2017-10-11	2017-08-15	2016-06-30	2015-10-27	2014-08-14
	Number of Days Pending	197	198	225	227	250	253	294	587	736	1037
CISA	Date of Receipt	2017-02-14	2017-02-01	2017-01-06	2017-01-05	2017-01-05	2016-11-12	2016-11-03	2016-10-26	2016-10-11	2016-09-12
	Number of Days Pending	409	48	435	436	436	465	477	483	494	514
FEMA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
FLETC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
I&A	Date of Receipt	N/A	N/A	2018-10-01	2018-08-08	2018-07-13	2018-06-27	2018-06-27	2017-12-01	2017-02-10	2016-04-18
	Number of Days Pending	N/A	N/A	18	66	84	95	95	228	441	646
ICE	Date of Receipt	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15
	Number of Days Pending	346	346	346	346	346	346	346	346	346	346
OIG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-03-28
	Number of Days Pending	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	159
PRIV	Date of Receipt	2018-09-12	2018-08-16	2018-07-24	2018-06-26	2018-06-19	2018-05-11	2018-05-08	2018-03-13	2017-09-01	2017-08-22
	Number of Days Pending	12	30	47	68	71	97	112	140	269	277
S&T	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TSA	Date of Receipt	2018-08-30	2018-08-06	2018-07-12	2017-08-22	2016-06-13	2016-06-01	2015-12-18	2015-12-18	2015-03-18	2014-06-24
	Number of Days Pending	20	38	55	277	577	585	698	698	889	1071
USCG	Date of Receipt	2015-09-17	2015-08-20	2015-07-23	2015-06-17	2015-05-28	2015-04-03	2015-04-01	2015-01-13	2015-01-13	2013-06-20
	Number of Days Pending	761	780	800	825	839	877	879	933	933	1312
USCIS	Date of Receipt	2018-01-03	2017-12-08	2017-11-20	2017-10-02	2017-10-02	2017-09-11	2017-09-08	2017-08-16	2017-04-27	2017-02-15
	Number of Days Pending	186	203	216	249	249	264	266	282	358	406
USSS	Date of Receipt	2013-09-03	2013-05-16	2013-05-02	2013-04-05	2013-04-05	2013-03-14	2013-03-14	2013-03-14	2013-03-11	2013-02-13
	Number of Days Pending	1273	1348	1358	1377	1377	1393	1393	1393	1396	1413
<b>AGENCY OVERALL</b>	<b>Date of Receipt</b>	<b>2013-09-03</b>	<b>2013-05-16</b>	<b>2013-05-02</b>	<b>2013-04-05</b>	<b>2013-04-05</b>	<b>2013-03-14</b>	<b>2013-03-14</b>	<b>2013-03-14</b>	<b>2013-03-11</b>	<b>2013-02-13</b>
	<b>Number of Days Pending</b>	<b>1273</b>	<b>1348</b>	<b>1358</b>	<b>1377</b>	<b>1377</b>	<b>1393</b>	<b>1393</b>	<b>1393</b>	<b>1396</b>	<b>1413</b>

**(D). (1) Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged**

Component	Number of Requests Received		Number of Requests Processed	
	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
CBP	88,840	87,388	87,623	74,894
CISA	27,285	37,516	30,325	38,033
FEMA	2,357	1,131	3,942	1,382
FLETC	319	231	310	253
I&A	384	327	380	340
ICE	47,893	70,267	47,979	67,365
OIG	205	291	203	226
PRIV	1,348	1,448	1,034	1,435
S&T	109	189	111	163
TSA	660	1,012	757	866
USCG	3,212	2,739	2,946	2,569
USCIS	190,941	191,804	189,735	186,137
USSS	2,483	1,408	2,201	1,282
<b>AGENCY OVERALL</b>	<b>366,036</b>	<b>395,751</b>	<b>367,546</b>	<b>374,945</b>

**D. (2) Comparison of Backlogged Requests from Previous and Current Annual Report**

Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
CBP	1,008	6,660
CISA	267	167
FEMA	310	212
FLETC	9	9
I&A	9	9
ICE	391	1,332
OIG	107	167
PRIV	436	511
S&T	0	30
TSA	623	757
USCG	1,963	1,586
USCIS	37,887	41,329
USSS	1,107	1,202
<b>AGENCY OVERALL</b>	<b>44,117</b>	<b>53,971</b>



**D. (3) Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged**

Component	Number of Appeals Received		Number of Appeals Processed	
	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
CBP	2,623	2,423	2,609	2,507
FEMA	24	31	56	35
FLETC	1	4	1	3
ICE	578	492	607	525
OGC	295	368	218	334
OIG	7	11	7	11
TSA	34	19	41	21
USCG	24	30	28	36
USCIS	1,770	1,968	1,742	1,819
USSS	30	40	37	36
<b>AGENCY OVERALL</b>	<b>5,386</b>	<b>5,386</b>	<b>5,346</b>	<b>5,327</b>

**(4) Comparison of Backlogged Administrative Appeals from Previous and Current Annual Report**

Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
CBP	18	18
FEMA	8	5
FLETC	0	1
ICE	45	1
OGC	79	109
OIG	0	0
TSA	5	5
USCG	16	14
USCIS	0	75
USSS	1	9
<b>AGENCY OVERALL</b>	<b>172</b>	<b>237</b>

**XIII. New Annual Report Metrics – 2016 FOIA Improvement Act of 2016****A. Number of Times Subsection (c) Used**

Agency/Component	Number of Times Subsection (C) Used
CBP	0
CISA	0
CRCL	0
FEMA	0
FLETC	0
I&A	0
ICE	0
OIG	0
PRIV	0
S&T	0
TSA	0
USCG	0
USCIS	0
USSS	0
<b>AGENCY OVERALL</b>	<b>0</b>

**B. Number of Subsection (a)(2) Postings**

Agency/Component	Number of (a)(2) Records Posted by the FOIA Office	Number of (a)(2) Records Posted by Program Offices
CBP	581	0
CISA	2	0
FEMA	34	0
FLETC	0	0
I&A	2	0
ICE	76	0
OIG	11	0
PRIV	124	0
S&T	0	0
TSA	111	0
USCG	4	0
USCIS	403	0
USSS	0	0
<b>AGENCY OVERALL</b>	<b>1,348</b>	<b>0</b>

## **APPENDIX A: Composition of the Department of Homeland Security**

The U.S. Department of Homeland Security's mission is to counter terrorism and enhance security, secure and manage our borders while facilitating trade and travel, enforce and administer our immigration laws, safeguard and secure cyberspace, build resilience to disasters, and provide essential support for national and economic security—in coordination with federal, state, local, international, tribal, and private sector partners.

### **Offices:**

The Office for Civil Rights and Civil Liberties (CRCL) provides legal and policy advice to Department leadership on civil rights and civil liberties issues, investigates and resolves complaints, and provides leadership to Equal Employment Opportunity Programs.

The Office of the Citizenship and Immigration Services Ombudsman (Ombudsman) is dedicated to improving the quality of citizenship and immigration services delivered to the public by providing individual case assistance, as well as making recommendations to improve the administration of immigration benefits by U.S. Citizenship and Immigration Services (USCIS).

The Office of the Executive Secretary (ESEC) provides all manner of direct support to the Secretary and Deputy Secretary, as well as related support to leadership and management across the Department.

The Office of the General Counsel (OGC) integrates approximately 1,800 attorneys from throughout the Department into an effective, client-oriented, full-service legal team. The Office of the General Counsel comprises a headquarters office with subsidiary divisions and the legal programs for eight Department components.

The Office of Partnership and Engagement (OPE) coordinates the Department of Homeland Security's outreach efforts with key stakeholders nationwide, ensuring a unified approach to external engagement.

The Office of Legislative Affairs (OLA) serves as primary liaison to members of Congress and their staffs, the White House and Executive Branch, and to other federal agencies and governmental entities that have roles in assuring national security.

The primary responsibility of the Military Advisor is to provide counsel and support to the Secretary and Deputy Secretary in affairs relating to policy, procedures, preparedness activities, and operations between DHS and the Department of Defense (DoD).

The Office of Strategy, Policy, and Plans serves as a central resource to the Secretary and other Department leaders for strategic planning and analysis, and facilitation of decision-making on the full breadth of issues that may arise across the dynamic homeland security enterprise.

The Privacy Office (PRIV) works to preserve and enhance privacy protections for all individuals and to promote transparency of Department operations.

The Office of Public Affairs (OPA) coordinates the public affairs activities of all of the Department's components and offices, and serves as the federal government's lead public information office during a national emergency or disaster.

#### Operational and Support Components:

United States Customs and Border Protection (CBP) is one of the Department of Homeland Security's largest and most complex components, with a priority mission of keeping terrorists and their weapons out of the U.S. It also has a responsibility for securing and facilitating trade and travel while enforcing hundreds of U.S. regulations, including immigration and drug laws.

The Cybersecurity and Infrastructure Security Agency (CISA), formerly the National Protection and Program Directorate (NPPD), is responsible for protecting the Nation's critical infrastructure from physical and cyber threats. This mission requires effective coordination and collaboration among a broad spectrum of government and private sector organizations.

The Countering Weapons of Mass Destruction (CWMD) Office leads the Department's efforts to develop and enhance programs and capabilities that defend against weapons of mass destruction terrorism. CWMD also hold the DHS Chief Medical Officer, who is responsible within the Department for medical issues related to natural disasters, acts of terrorism, and other man-made disasters.

The Federal Emergency Management Agency (FEMA) supports our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

The Federal Law Enforcement Training Center (FLETC) provides career-long training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently.

The Office of Intelligence and Analysis (I&A) equips the Homeland Security Enterprise with the timely intelligence and information it needs to keep the homeland safe, secure, and resilient.

United States Immigration and Customs Enforcement (ICE) promotes homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

The Directorate for Management (MGMT) is responsible for budget, appropriations, expenditure of funds, accounting and finance; procurement; human resources and personnel; information technology systems; facilities, property, equipment, and other material resources; and identification and tracking of performance measurements relating to the responsibilities of the Department.

The Office of Operations Coordination (OPS) provides information daily to the Secretary of Homeland Security, senior leaders, and the homeland security enterprise to enable decision-making; oversees the National Operations Center; and leads the Department's Continuity of Operations and Government Programs to enable continuation of primary mission essential functions in the event of a degraded or crisis operating environment.

The Transportation Security Administration (TSA) protects the nation's transportation systems to ensure freedom of movement for people and commerce.

The United States Coast Guard (USCG) is one of the five armed forces of the United States and the only military organization within the Department of Homeland Security. The Coast Guard protects the maritime economy and the environment, defends our maritime borders, and saves those in peril.

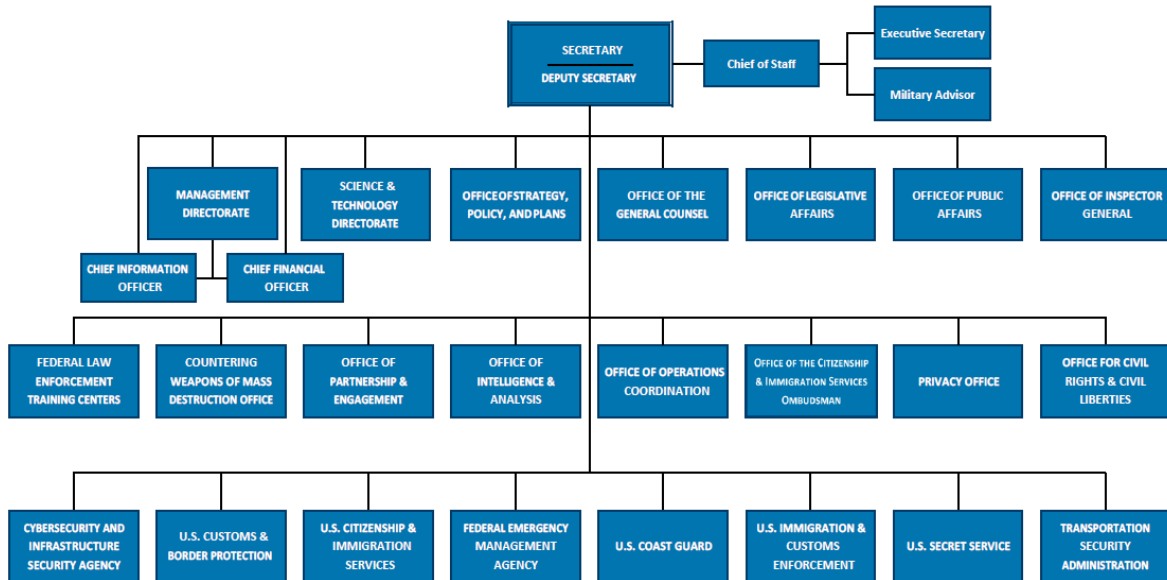
United States Citizenship and Immigration Services (USCIS) secures America's promise as a nation of immigrants by providing accurate and useful information to our customers, granting immigration and citizenship benefits, promoting an awareness and understanding of citizenship, and ensuring the integrity of our immigration system.

The Science and Technology Directorate (S&T) is the primary research and development arm of the Department. It provides federal, state and local officials with the technology and capabilities to protect the homeland.

The United States Secret Service (USSS) safeguards the nation's financial infrastructure and payment systems to preserve the integrity of the economy, and protects national leaders, visiting heads of state and government, designated sites, and National Special Security Events.

## APPENDIX B: Organization of the Department of Homeland Security Chart

### U.S. Department of Homeland Security



## **APPENDIX C: Names, Addresses, and Contact Information for DHS FOIA Officers**

### **Department of Homeland Security Chief FOIA Officer**

Vacant  
Chief FOIA Officer  
The Privacy Office  
U.S. Department of Homeland Security  
245 Murray Lane, SW, Mail Stop 0655  
Washington, DC 20528-0655

James V.M.L. Holzer  
Deputy Chief FOIA Officer  
The Privacy Office  
U.S. Department of Homeland Security  
245 Murray Lane, SW, Mail Stop 0655  
Washington, DC 20528-0655

### **Department of Homeland Security Component FOIA Officers**

The Privacy Office  
Jimmy Wolfrey  
Acting Senior Director, FOIA Operations  
Ph: 202-343-1743; Fax: 202-343-4011  
U.S. Department of Homeland Security  
245 Murray Lane, SW, Mail Stop 0655  
Washington, DC 20528-0655

U.S. Customs and Border Protection  
Sabrina Burroughs  
Ph: 202-325-0150; Fax: 202-325-1476  
FOIA Division  
90 K Street, NE  
Washington, DC 20229-1181

U.S. Citizenship and Immigration Services  
Jill Eggleston  
Ph: 816-350-5521; Fax: 816-350-1793  
National Records Center, FOIA/PA Office  
P. O. Box 648010  
Lee's Summit, MO 64064-8010

Cybersecurity and Infrastructure Security  
Agency  
Angela Washington, Acting  
Ph: 703-235-2211; Fax: 703-235-2052  
U.S. Department of Homeland Security  
Washington, DC 20528-0380

Office for Civil Rights and Civil Liberties  
Bradley White  
Ph: 202-343-1743; Fax: 202-343-4011  
DHS-CRCL-FOIA  
U.S. Department of Homeland Security  
245 Murray Lane, SW, Bldg. 410,  
Mail Stop 0655  
Washington, DC 20528-0190

Federal Emergency Management Agency  
William Holzerland  
Ph: 202-646-3323  
Information Management Division  
500 C Street, SW  
Mail Stop 3172  
Washington, DC 20472-3172

U.S. Coast Guard  
Brian Burns  
Ph: 202-475-3525 Fax: 202-475-3927  
Commandant (CG-611)  
2701 Martin Luther King Jr Ave, SE  
Stop 7710  
Washington, DC 20593-0001

Federal Law Enforcement Training Centers  
William Dooley  
Ph: 912-261-4512; Fax: 912-267-3113  
Building No.681, Suite 187B  
1131 Chapel Crossing Road  
Glynco, GA 31524

U.S. Immigration and Customs Enforcement  
Catrina Pavlik-Keenan  
Ph: 866-633-1182; Fax: 202-732-4265  
500 12<sup>th</sup> Street, SW, Mail Stop 5009  
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Office of Inspector General  
Avery Roselle  
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U.S. Department of Homeland Security  
245 Murray Lane, SW, Mail Stop 0305  
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Office of Intelligence and Analysis  
Brendan Henry  
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U.S. Department of Homeland Security  
Washington, DC 20528-0001

Science & Technology Directorate  
Erica Talley  
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U.S. Department of Homeland Security  
Washington, DC 20528-0001

United States Secret Service  
Kevin Tyrrell  
Ph: 202-406-6370; Fax: 202-406-5586  
245 Murray Lane, SW, Building T-5  
Washington, DC 20223

Transportation Security Administration  
Teri Miller  
Ph: 1-866-FOIA-TSA; Fax: 571-227-1406  
601 S. 12<sup>th</sup> Street, TSA-20  
3<sup>rd</sup> Floor, West Tower  
Arlington, VA 20598-6020